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2 District of Arizona  
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9 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF ARIZONA**

10 United States of America,  
11 Plaintiff,  
12 v.  
13 Cottonwood Lane, LLC,  
14 Defendant.  
15

**COMPLAINT**  
**(DEBT OWED TO THE UNITED STATES)**

16 Plaintiff United States of America alleges:

17 **A. Jurisdiction**

18 1. Because the United States is a party, the District Court has jurisdiction under  
19 28 U.S.C. § 1345.

20 **B. Venue**

21 2. Venue properly lies in this District Court pursuant to 28 U.S.C. § 1391(b)  
22 because Defendant Cottonwood Lane, LLC, an Arizona limited liability company, is a  
23 resident of Maricopa County, Arizona.

24 **C. Factual Background**

25 3. The Defendant is indebted to the Plaintiff as evidenced by the Certificate of  
26 Indebtedness, attached hereto as Exhibit "A" and incorporated herein by this reference.

27 4. All due credits and set-offs have been applied to the debt.  
28

1           5.       A balance remains due and owing to the Plaintiff of \$448,274.28 principal,  
2       administrative costs of \$181,769.81, and \$55,487.76 interest through June 26, 2018. The  
3       last payment toward the indebtedness was made on December 9, 2015.

4	6. Interest continues to accrue at 6% per annum from June 27, 2018.
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## 5 D. Cause of Action

6	7. To date, the debt remains unpaid despite demand for payment.
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7           8.    28 U.S.C. § 3001, et seq., (the Federal Debt Collection Procedures Act  
8   (FDCPA)) provides the procedures for collecting a debt owed to the United States.

9           9.       “Debt” includes an amount owing to the United States on account of a loan  
10   insured or guaranteed by the United States. 28 U.S.C. § 3002(3)(a). *See also* 31 U.S.C. §§  
11   3717(e)(2), 3711(g)(6).

12           10.     The FDCPA provides that the Federal Rules of Civil Procedure shall apply.  
13     28 U.S.C. § 3003(f).

14           11.       Therefore, the United States files this Complaint under the Federal Rules  
15       seeking a judgment against Defendant for the debt, consistent with the Debt Collection  
16       Improvement Act of 1996 (Public Law 104-134).

17 | **E. Prayer for Relief**

18           The Plaintiff respectfully requests Judgment against the Defendant in the amount of  
19   \$685,531.85, plus costs and such further relief as the court deems just and reasonable.

20 | DATED: December 6, 2021

GARY M. RESTAINO  
United States Attorney  
District of Arizona

*s/ Vincent M. Creta*  
 Vincent M. Creta  
 Assistant U.S. Attorney